

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

JENNIFER A. NIKOLAISEN,

Plaintiff,

V.

Case No. 1:24-cv-88 (LMB/LRV)

DEPARTMENT OF THE NAVY,

Defendant.

## **DEFENDANT’S MOTION TO DISMISS**

Defendant, Department of the Navy, through its undersigned counsel, respectfully submits this motion pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6). The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: March 18, 2024

Respectfully submitted,

JESSICA D. ABER  
UNITED STATES ATTORNEY

By: \_\_\_\_\_ /s/

**MATTHEW J. MEZGER**  
Assistant United States Attorney  
Office of the United States Attorney  
Justin W. Williams U.S. Attorney's Building  
2100 Jamieson Ave.  
Alexandria, VA 22314  
Tel: (703) 299-3741  
Fax: (703) 299-3983  
Email: [matthew.mezger@usdoj.gov](mailto:matthew.mezger@usdoj.gov)

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2024, I caused a true and correct copy of the foregoing to be placed in the United States mail, first-class postage prepaid, addressed to the *pro se* plaintiff as follows:

Jennifer A. Nikolaisen  
4393 Kevin Walker Drive PMB 106  
Montclair, Virginia 22025

/s/  
MATTHEW J. MEZGER  
Assistant United States Attorney  
Office of the United States Attorney  
Justin W. Williams U.S. Attorney's Building  
2100 Jamieson Ave.  
Alexandria, VA 22314  
Tel: (703) 299-3741  
Fax: (703) 299-3983  
Email: matthew.mezger@usdoj.gov

*Counsel for Defendant*